

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Atty Dkt. 1626-3

C# M#

VROUENRAETS et al

Serial No. 09/980,088

Filed: August 23, 2002

Title: PHOTODYNAMIC THERAPY COMPOUNDS

Group Art Unit:

Examiner:

Date: August 23, 2002

ATTENTION:
PCT LEGAL OFFICEAssistant Commissioner for Patents
Washington, DC 20231

Sir:

PETITION TO CORRECT INVENTORSHIP UNDER 37 CFR §1.48

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

Fees are attached as calculated below:

Total effective claims after amendment	0	minus highest number		
previously paid for	20	(at least 20) =	0 x \$ 18.00	\$ 0.00

Independent claims after amendment	0	minus highest number		
previously paid for	3	(at least 3) =	0 x \$ 84.00	\$ 0.00

If proper multiple dependent claims now added for first time, add \$280.00 (ignore improper)	\$ 0.00
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Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$110.00/1 month; \$400.00/2 months; \$920.00/3 months)	\$ 0.00
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Terminal disclaimer enclosed, add \$ 110.00	\$ 0.00
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<input type="checkbox"/> First/second submission after Final Rejection pursuant to 37 CFR 1.129(a) (\$740.00)	\$ 0.00
<input type="checkbox"/> Please enter the previously unentered, filed	
<input type="checkbox"/> Submission attached	

Subtotal	\$ 0.00
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If "small entity," then enter half (1/2) of subtotal and subtract	-\$ 0.00
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<input type="checkbox"/> Applicant claims "small entity" status.	<input type="checkbox"/> Statement filed herewith
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Rule 56 Information Disclosure Statement Filing Fee (\$180.00)	\$ 0.00
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Assignment Recording Fee (\$40.00)	\$ 0.00
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Other: Declarations of Non-Inventors: Marijke Stigter; Hugo Oppelaar; Gordon Brian Snow; Fiona Anne Stewart; and Pieter Edsge Postmus	130.00
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TOTAL FEE ENCLOSED	\$ 130.00
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The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

1100 North Glebe Road, 8th Floor
Arlington, Virginia 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100
ARC:eaw

NIXON & VANDERHYE P.C.
By Atty: Arthur R. Crawford, Reg. No. 25,327

Signature: _____

08/27/2002 GFREY1 00000026 09980088

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130.00 DP



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

VROUENRAETS et al

Atty. Ref.: 1626-3

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For: PHOTODYNAMIC THERAPY COMPOUNDS

* * * * *

August 23, 2002

Assistant Commissioner for Patents
Washington, DC 20231

ATTENTION: PCT LEGAL OFFICE

Sir:

PETITION TO CORRECT INVENTORSHIP UNDER 37 CFR §1.48

Petition is hereby made to correct the inventorship of the above-identified application deleting Marijke Stigter, Hugo Oppelaar, Gordon Brian Snow, Fiona Anne Stewart, and Pieter Edsge Postmus leaving only as true and correct inventors of the subject matter claimed in this application Martinus Bernardus Vrouenraets, Gerardus W.M. Viisser and Augustinus A.M.S. Dongen.

In support of this Petition are signed Declarations executed by all of the PTC-listed "inventors" to be removed from this application acknowledging that there was an error in designating the inventors of the underlying PCT application, that this error occurred without any deceptive intent, and identifying the correct inventors.

As stated in their declarations the error occurred as the persons listed on the PCT application as "inventors" were designated as the same persons named as authors of a related research publication. Later, on closer review, it appeared that several of the authors are in fact not inventors of the subject matter defined by the claims of the present

application. A statement from each person being deleted as an inventor that the error in inventorship occurred without deceptive intention on his/her part is included in each declaration [37 CFR §1.48(a)(2)].

Declarations by the actual inventors as required by Rule 63 are concurrently filed with this Petition in response to a Notice of Missing Requirements dated January 24, 2002. [37 CFR §1.48(a)(3)].


Attached is our check for the requisite Petition processing fee [37 CFR §1.48(a)(4)].

Approval of this Petition is solicited. If for any reason further information is required the reviewer is requested to contact the undersigned.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____


Arthur R. Crawford
Reg. No. 25,327

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Arlington, VA 22201-4714
Telephone: (703) 816-4000
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DECLARATION OF NON-INVENTORSHIP

UNITED STATES PATENT APPLICATION 09/980,088

I hereby declare that an error occurred in the naming of Inventors in International patent application PCT/GB01/01215 (WO 01/74398A1) filed on 30th March, 2000; without any deceptive intent.

The correct Inventors are:

- 1) Martinus Bernardus VROUENRAETS
- 2) Gerardus Wilhelmus Maria VISSER
- 3) Augustinus Antonius Maria Silverster VAN DONGEN.

I the undersigned acknowledge that, whilst being an author of a corresponding research publication, am not an actual Inventor of the invention disclosed in the abovementioned International patent application (and its US counterpart - 09/980,088).

M. Stigter
MARIJKE STIGTER

Date: 09 08 2002

Place: Amsterdam



DECLARATION OF NON-INVENTORSHIP

UNITED STATES PATENT APPLICATION 09/980,088

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HUGO OPPELAAR

Date: 9TH august 2002

Place: Utrecht



DECLARATION OF NON-INVENTORSHIP


UNITED STATES PATENT APPLICATION 09/980,088

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I the undersigned acknowledge that, whilst being an author of a corresponding research publication, am not an actual Inventor of the invention disclosed in the abovementioned International patent application (and its US counterpart - 09/980,088).


GORDON BRIAN SNOW

Date: 08-15-2002

Place: Amsterdam



DECLARATION OF NON-INVENTORSHIP

UNITED STATES PATENT APPLICATION 09/980,088

I hereby declare that an error occurred in the naming of Inventors in International patent application PCT/GB01/01218 (WO 01/74398A1) filed on 30th March, 2000; without any deceptive intent.

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- 3) Augustinus Antonius Maria Silverster VAN DONGEN.

I the undersigned acknowledge that, whilst being an author of a corresponding research publication, am not an actual Inventor of the invention disclosed in the abovementioned International patent application (and its US counterpart - 09/980,088).

Fiona Stewart X
FIONA ANNE STEWART

Date: August 9th 2002 1

Place: Amsterdam 2



DECLARATION OF NON-INVENTORSHIP

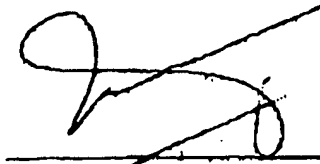
UNITED STATES PATENT APPLICATION 09/980,088

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- 3) Augustinus Antonius Maria Silverator VAN DONGEN.

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PIETER EDSGE POSTMUS

Date: August 19, 2002

Place: Amsterdam